

The Role of the Oxton Society and Code of Practice

Wirral Council, as Local Planning Authority, consults the Oxton Society on all planning applications made within the Conservation Area and those on the border which could affect its setting. Responding to these consultations, and sharing our views with our members and local residents and businesses, is one of the Society's core functions.

The Planning Process

There is a substantial body of legislation governing how planning decisions are made. Wirral Council is responsible for setting out policies in its **Local Plan** and in related guidance which form the basis for decisions on planning applications.

The Society has prepared a [guide to current planning policy](#), particularly in relation to the Oxton Conservation Area.

Procedural rules for making and determining [planning applications](#), including consultation requirements, are similarly defined in legislation and regulations and in Council approved guidance.

The Role of The Oxton Society

Government guidance recommends that when a Conservation Area is declared the local Council should support the establishment of an Advisory Committee to act as a sounding board for local interests and to provide expert opinion and advice on safeguarding the character of the area, especially regarding planning issues. This was the trigger for the establishment of the Oxton Society as the **Advisory Committee for the Oxton Conservation Area** when it was declared in 1979. The Council has undertaken to consult the Oxton Society on planning applications within the area.

The Society's role as a consultee on planning applications is clearly defined. Its focus is on **safeguarding the character of the Oxton Conservation Area**, in particular those features of built heritage and landscape which justified the declaration of the Conservation Area.

The views submitted to the Council in our response to planning applications – including objections and expressions of support – are **advisory**. The Council takes them into account but is not bound to accept them. The Society depends on the objectivity, consistency and expertise we bring to bear to give weight to our views.

This role is distinct from the other statutory consultations the Council undertakes on planning applications, most importantly **neighbour consultations**, where the purpose is to allow for concerns to be raised by the owners and occupiers of adjacent and nearby properties on the possible adverse effects of a proposed development on their amenity.

In discharging its responsibilities as a consultee, it is an important principle that the Society does not become involved in representing the views of, or

arbitrating between, individual neighbours, or mediating between neighbours and applicants.

The Society works closely with Oxtun's **local councillors**. When a planning application raises major issues of policy or arouses widespread local controversy concerning the character of the Conservation Area the Society will seek their support in making representations, including seeking its referral to the Planning Committee. In these circumstances - where the key issue is the character of the Conservation Area - the Society will also support the preparation and submission of a **petition** in accordance with the Council's procedures.

The Society's Executive Committee has ultimate responsibility for the conduct of, and views expressed in, the Society's response to planning consultations. The Committee has delegated the day-to-day performance of this role to a Planning Group, subject to the principles and Code of Practice set out in the following paragraphs.

The Society's Planning Group

The membership of the Planning Group is agreed by the Executive Committee and is comprised of no fewer than three and no more than five members of the Committee, selected having regard to their relevant knowledge and expertise. One member of the group must ensure co-ordination with the Tree Group having regard to the significant overlap between their areas of responsibility.

The Group selects a **lead member** whose responsibilities are:

- On receipt of a consultation notification from the Council, to advise all members of the Group, identifying response deadlines and any key issues arising;
- To arrange a site visit if necessary (see below);
- To ensure that any potential conflicts of interest for individual group members are identified;
- To liaise with the case officer and other Council officers as necessary;
- To agree and sign off the response to the consultation on behalf of the Society and send it to the case officer within the Council's published deadline;
- To submit reports on consultation responses to meetings of the Executive Committee.

Consultation - Code of Practice

Criteria for responding to consultations

There is an important element of judgement in formulating a response to planning applications, particularly where the proposals are significant in scale and complexity. To maximise confidence in the Society's comments the Planning Group must ensure that they are:

- Objective and evidence-based;
- Based on a sound understanding of the statutory planning policy framework and guidance

- Informed by discussions with applicants and their advisers when invited and appropriate
- Timely and compliant with the Council's decision-making procedures
- Consistent over time

Site visits and pre-application discussions

In order to fully understand a planning application, especially one that is complex or potentially controversial, it can be helpful for the Group to meet near the site to view the setting and existing situation. These visits will be conducted unobtrusively and in small numbers and any questions arising from local residents will be answered courteously.

The Group will normally respond positively to an invitation, either pre-or post-application, for a **meeting on-site** to discuss a proposed development with the applicant and/or advisers. In this case the Group will send a note of the discussion and issues arising to those involved. It will **not** normally be appropriate for the Group to take the initiative in seeking an on-site meeting with the applicant after receipt of a consultation notification from the Council.

Dealing with complaints

In the event of a complaint being made by a member of the public or any other interested party about how the Planning Group has carried out its responsibilities, it will be referred to the Chair of the Oxton Society. The Chair will appoint a **complaints panel** comprising three members of the Executive Committee not involved in the issue subject to complaint (which may include the Chair). The panel will investigate the complaint and report their findings to the Executive Committee. The Chair will report the findings to the complainant and, if required, to any other interested parties.

Related Responsibilities

Advice and Guidance

The Planning Group will take the lead in responding to the frequent requests received by the Society from members and the general public for advice and information on a variety of planning issues, unrelated to consultation on a specific planning application. The target is for a response to be sent within ten days of receipt.

Some of the most frequent questions may be answered by reference to the **Planning Advice Notes** published on the Society's website.

Related areas of policy and practice

There is a wide range of planning-related matters, other than planning applications, for which the Planning Group will normally take the lead role, including:

- Liaison with Council officers on matters of planning policy and procedure, including comments on the Local Plan process.

- Promoting and contributing to the development of the policy and evidence base for the Conservation Area including reviews of the Character Appraisal and Management Plan and the possible making of an Article 4 Direction.
- Commenting on proposals which are linked to planning and development but are covered by other policy and regulatory regimes e.g: licencing applications, environmental health, street scene, traffic, parking and highway maintenance.